

**IN THE UNITED STATES DISTRICT COURT FOR THE  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

<b>HILDA L. SOLIS, Secretary of Labor, United States Department of Labor,</b>  <b>Plaintiff,</b>  <b>vs.</b>  <b>NEW CHINA BUFFET #8, INC., YUN DA CHEN, and Individual and YONG KAI CHEN, an Individual, Defendant</b>	<b>Crim. No. 5:10-CV-78 (CAR)</b>
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**DEFENDANT YONG KAI CHEN'S  
MOTION FOR SUMMARY JUDGMENT**

COMES NOW Defendant Yong Kai Chen, by and through undersigned counsel, pursuant to Local Rule 7.1 of the Middle District of Georgia and Rule 56 of the Federal Rules of Civil Procedure, and files this his Motion for Summary Judgment. The undisputed material facts show that Defendant is entitled to judgment as a matter of law. This Motion is based on the following documents:

1. The pleadings and all other documents filed with this Court;
2. Declaration of Yong Kai Chen;
3. Defendant Yong Kai Chen's Memorandum in Support of Motion for Summary Judgment.

WHEREFORE Defendant prays the Court grant his Motion and enter a judgment against Plaintiff on all claims.

Respectfully submitted, this August 23, 2010.

**/s Charles E. Cox, Jr.**

Ga. Bar No. 192305

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CERTIFICATE OF SERVICE

I hereby certify that on August 23, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

**Frank L. Butler, III**  
**Attorney for Defendants New China and Yun Da Chen**

**Karen Mock**  
**Senior Trial Attorney**  
**Office of the Solicitor**  
**U.S. Department of Labor**  
**61 Forsyth Street, S.W.**  
**Room 7T10**  
**Atlanta, GA 30303**

I also certify that I have mailed by United States Postal Service the document and a copy of the Notice of Electronic Filing to the following non-CM/ECF participants:

**N/A**

Respectfully submitted,

**/s Charles E. Cox, Jr.**  
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